

**NOTICE OF PROPOSED AMENDMENTS TO THE
LOCAL RULES OF THE UNITED STATES DISTRICT COURTS
FOR THE NORTHERN AND SOUTHERN DISTRICTS OF IOWA,
TO BE EFFECTIVE DECEMBER 1, 2009**

Date of Notice: August 26, 2009

Notice is hereby given that the Local Rules of the United States District Courts for the Northern and Southern Districts of Iowa will be amended effective **December 1, 2009**. The proposed amended Local Rules, together with a "redline" document showing the proposed changes from the current, January 1, 2008, version of the Local Rules, may be accessed at the courts' web sites, www.iand.uscourts.gov; www.iasd.uscourts.gov.

The proposed amendments were prompted by proposed changes to the Federal Rules of Civil and Criminal Procedure which are scheduled to take effect December 1, 2009. The Federal Rules changes have to do with computing deadlines. They take a "days are days" approach in which every day counts, including weekends and holidays, regardless of the length of the time period, except that a deadline ending on a weekend or a legal holiday is continued to the next day that is not a weekend or legal holiday. Generally, periods less than 30 days will be revised to be multiples of 7 days. Short periods in the current rules, *i.e.*, less than 11 days, will generally be lengthened to offset the change in the computation. Also, the time periods in a few rules will be extended because they were thought to be too short to be practical.

The proposed amendments to the Local Rules conform to the proposed changes to the Federal Rules and include minor related style changes. References to "court days" in the Local Rules will be eliminated. For example, LR 56.d currently requires in summary judgment proceedings that replies to the movant's statement of additional facts be filed "within 5 court days." The proposed Local Rule will require replies to be filed "within 7 days." Similarly, the time period for taking appeals from magistrate judge orders in LR 72.1 is modified from "10 court days" to "14 days." The practical effect of the changes will be that in most instances the time period will remain about the same or be slightly extended, though not in every case.

No substantive changes to the Local Rules are proposed. The "3-day mailing rule" deadline extension in Federal Rule of Civil Procedure 6(d) will remain applicable to electronically-served documents in both the Federal Rule and Local Rule 6.

The public is invited to review and make comments on the proposed amendments to the Local Rules. Comments should be directed to Chief United States Magistrate Judge Paul A. Zoss of the Northern District, either by email to paul_zoss@iand.uscourts.gov, or by mail to the United States Courthouse, 320 Sixth Street, Room 104, Sioux City, Iowa 51101. Comments will be accepted through **November 10, 2009**.

The proposed amendments will become effective only upon approval by the Article III United States District Judges of the districts. The planned effective date of the amendments is **December 1, 2009**.